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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,113	03/05/2002	Ignacio A. Linares	1285-0082US	7899

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EXAMINER

RAY, GOPAL C

ART UNIT PAPER NUMBER

2111

DATE MAILED: 09/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/092,113

Applicant(s)

LINARES ET AL.

Examiner

Gopal C. Ray

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-11, 14-17, 20 and 21 is/are rejected.
7) ☒ Claim(s) 12, 13, 18, 19 and 22-25 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 1-25 are presented for examination.
2. Figures 1-4b should be designated by a legend such as –prior Art—because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing corrections or corrected drawings are required in response to this office action. The objection to the drawings will not be held in abeyance. Furthermore, direct any inquiries concerning drawing review by the USPTO draftsman to the Drawing Review Branch at (703) 305-8404.
3. Applicant should provide Serial No. of US Patent Application and update status, i.e., provide Patent No. if patented of Application No. 09/541,002 and 09/541,002 disclosed on pages 1 and 18 respectively of the specification of the invention. Furthermore, the specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification. Moreover, all claims should be revised carefully to eliminate all grammatical errors and antecedent basis problems
4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
5. Claims 20 and 21 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The specification is silent regarding (P1 and P2) and (P4 and P5) connector segments that are formed as a monoblock as claimed in claims 20 and 21 respectively.

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6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-6 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,356,966 issued to Loach et al.

As per claim 1, the reference of Loach et al. teaches “a front side portion having a plurality of front connector holes organized into a set of front connector segments; and rear side portion having a plurality of rear connector holes organized into a set of rear connector segments that correspond to said front connector segments” in Fig. 5, elements 62a-62o and col. 6, lines 33-39; “wherein front connector holes of at least one front connector segment and rear connector holes of a rear connector segment that corresponds to said at least one front connector segment are dimensioned such that said at least one front connector segment and corresponding rear connector segment are electrically separated ...” (lines 9-17) in Fig. 5, elements P1-P5 representing front

and rear connectors 52, 56 that substantially correspond to the front side connector segments. Furthermore, rP1 and rP2 connector segments in Fig. 5, element 56 is provided with a set of non-standard connector holes in addition to standard rear connector holes (see Fig. 8 and col. 8, lines 19-38)

As per claim 2, the reference of Loach et al. teaches the added limitation of the claim including CPCI in Fig. 5, and col. 1, lines 8-10.

As per claim 3, the reference of Loach et al. teaches "a proprietary input/output bus system" in col. 9, lines 18-31.

As per claims 4-5, the reference of Loach et al. teaches the added limitations of the claim in Fig. 8 and col. 8, lines 19-38.

As per claim 6, the reference of Loach et al. teaches "CPCI-complaint signals" in col. 4, lines 23-25.

As per claim 10, the claim recites a method. However, the limitations of the claims are parallel to the combination of limitations in apparatus claims 1, 2 and 6. Therefore, the rejection of claims 1, 2 and 6 is applicable here.

8. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 7-9, 11 and 14-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 6,356,966 issued to Loach et al. in view of US Patent 5,122,691 issued to Balakrishnan.

As per claims 7-9, the claims are rejected for the same reasons as discussed in the rejection of respective parent claims with the exception of the added limitations "rear connector segments are operable to carry at least one user-defined signal" (claim 7); "rear connector segments conform to one of the VME standard" (claim 8); "rear connector segments conform to the MultiBus standard" (claim 9). However, the above features were well known to one of ordinary skill in the art at the time the invention was made as evidenced by Balakrishnan. The reference of Balakrishnan teaches the features in col. 1, lines 28-37. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the above features in the system of Loach et al. because these various standards are commonly used in prior art systems and also define the physical feature of the backplane. Addition of the above features would make the system of Loach et al. versatile. The reference of Balakrishnan teaches the motivation in col. 1, lines 30-32.

As per claim 11, the claim recites a method. However, the limitations of the claims are parallel to the combination of limitations in apparatus claims 1, 2, 6 and 7. Therefore, the rejection of claims 1, 2, 6 and 7 is applicable here.

As per claims 14-17, the claims recite various combination of the limitations in claims 1, 2, 6 and 7. Therefore, the claims are rejected for similar reasons as discussed in the rejection of claims 1, 2, 6 and 7.

10. Claims 12-13, 18, 19 and 22-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is an Examiner's Statement of Reasons for Allowance:

The claims are allowable because each claim recites an additional feature in combination with the features in the respective parent claim, such as "wherein at least one user-defined signal comprises a Super Frame Indicator (SFI) signal operable to control the operation of a telecommunication rack in which said backplane is deployed" (claim 12), etc. which the cited prior art does not teach or fairly suggest. If applicant is aware of any better prior art than those are cited, they are required to bring the prior art to the attention of the examiner.

Any comments considered necessary by applicant must be submitted in response to this office action. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. Furthermore, applicant is reminded of the duty to disclose as set forth in 37 CFR § 1.56.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gopal C. Ray whose telephone number is (703) 305-

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9647. The examiner can normally be reached on Monday - Friday from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (703) 305-4815. The new fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [mark.rinehart@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2100 receptionist whose telephone number is (703) 305-3900.


GOPAL C. RAY
PRIMARY EXAMINER
GROUP 2100